

ORDINANCE NUMBER: 2018- 12

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO SINGLE FAMILY RESIDENTIAL (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated December 21, 2017 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2017-23 Palm Valley Gardens III**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning to **SINGLE FAMILY RESIDENTIAL (RS-2)** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to conforming adjacent land uses. (Objective A.1.3.11)
 - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
3. The rezoning to **SINGLE FAMILY RESIDENTIAL (RS-2)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **SINGLE FAMILY RESIDENTIAL (RS-2)** is consistent with the land uses allowed in the land use designation of Residential-B as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2017-23** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to SINGLE FAMILY RESIDENTIAL (RS-2).

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

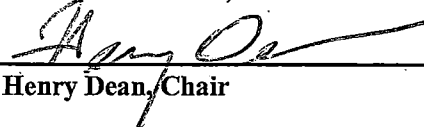
SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

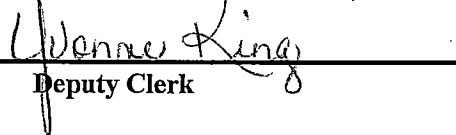
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 20 DAY OF March 2018.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: 
Henry Dean, Chair

REVISION DATE MAR 22 2018

ATTEST: HUNTER S. CONRAD, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: MAR 23 2018

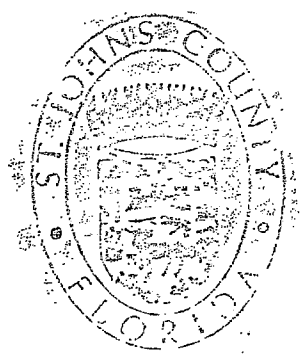


Exhibit A

LEGAL DESCRIPTION:

A PARCEL OF LAND LING IN GOVERNMENT LOT 1, SECTION 9, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA BEING A PORTION THEREOF AND BEING MORE PARTICULARLY DESCRIBED

AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF ST. JOHNS PLANTATION AS RECORDED IN MAP BOOK 1 PAGES 43 AND 44 OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA, SAID CORNER LYING ON THE WEST LINE OF GOVERNMENT LOT 1, SECTION 9, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA SAID LINE ALSO BEING THE EAST LINE OF PALM VALLEY GARDENS UNIT 6 AS RECORDED IN MAP BOOK 5 PAGE 73; THENCE ALONG THE SOUTH BOUNDARY OF SAID ST. JOHNS PLANTATION, NORTH 88°31'07" EAST A DISTANCE OF 384.02 FEET TO A POINT ON THE SOUTH LINE OF SAID ST. JOHNS PLANTATION AND ON THE LINE DIVIDING THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 865 PAGE 1006 FROM THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3302, PAGE 1796; THENCE ALONG SAID DIVIDING LINE, SOUTH 00°56'53" EAST A DISTANCE OF 228.06 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF CANAL BOULEVARD (A VARIABLE WIDTH RIGHT OF WAY AS ESTABLISHED BY COUNTY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 2859, PAGE 355 AND AS DEPICTED IN COUNTY ROAD PLAT BOOK 2 PAGES 27 AND 28); THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 88°54'11" WEST A DISTANCE OF 351.78 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED WEST LINE OF GOVERNMENT LOT 1, SAID INTERSECTION BEING THE SOUTHEAST CORNER OF TRACT 25 OF THE AFOREMENTIONED PALM VALLEY GARDENS UNIT 6; THENCE ALONG SAID LINE, NORTH 09°05'07" WEST A DISTANCE OF 227.70 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 83,449 SQUARE FEET OR 1.92 ACRES MORE OR LESS.

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS APPEARS
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 29th DAY OF March 2018
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners



BY: Yvonne King D.C.

MINCH
804 TEMPLETON LANE
PONTE VEDRA, FL 32081

ACCT: 21952
AD# 0003002844-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

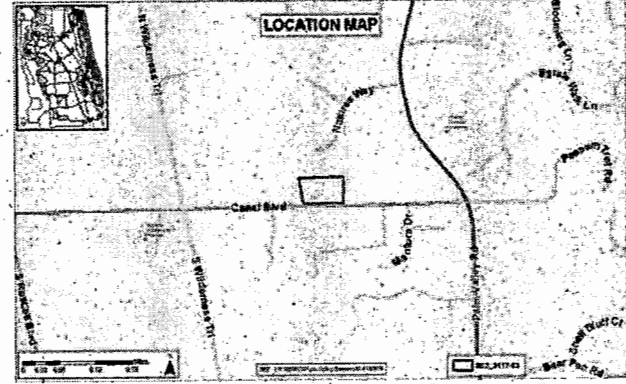
STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **NOTICE OF HEARING** in the matter of **REZ-2017000023** was published in said newspaper on **01/31/2018**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **2/15/2018** at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on **3/20/2018** at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a request to rezone approximately 1.92 acres of land from Open Rural (OR) to Single Family Residential (RS-2) to allow for the rearrangement of 4 legal, nonconforming Lots of record into 3 more equally balanced residential home sites.



AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO SINGLE FAMILY RESIDENTIAL (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 244 & 248 Canal Boulevard, Ponte Vedra Beach, FL 32082. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFFER, CHAIR

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
HENRY DEAN, CHAIR

FILE NUMBER: REZ-2017000023
PROJECT NAME: Palm Valley Gardens III

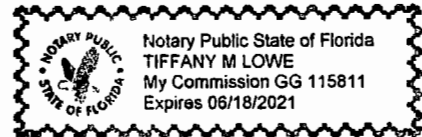
0003002844 January 31, 2018

Sworn to and subscribed before me this _____ day of **JAN 31 2018**

by Jamie Williams who is personally known to me
or who has produced as identification

Tiffany M. Lowe
(Signature of Notary Public)

(Seal)





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 23, 2018

Honorable Hunter S. Conrad
Clerk of Court
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King

Dear Mr. Conrad:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2018-12, which was filed in this office on March 23, 2018.
Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **MAR 23 2018**
ST. JOHNS COUNTY
CLERK OF COURT

BY: *Yvonne King*
DEPUTY CLERK